



Entered on Docket
November 09, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Sixth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Partially Upon Investment In
The HFAH Clear Lake, LLC Loan**

Hearing Date: September 30, 2011
Hearing Time: 9:30 a.m.

The Court having considered the "Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based Partially Upon Investment In The HFAH Clear Lake, LLC Loan." (HFAH Clear Lake, LLC Loan") [DE 8896] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the

1 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to
2 repayment by the borrower or from the collateral securing the HFAH Clear Lake, LLC
3 Loan; and good cause appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8896] is sustained; and
- 6 2. The claims listed on **Exhibit A** attached are 20% allowed and 80%
7 disallowed to the extent those claims are based upon an investment in the HFAH Clear
8 Lake, LLC Loan.

9
10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**

12
13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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Claim	Name	Address	Total Claim Amount	Approximate Amount Related to an Investment In the HFAH Clear Lake, LLC Loan	Amount Disallowed (80%)	Amount Allowed (20%)
10725-00329	Geiger, Ruth And/Or Robert	1352 Mt Hood St Las Vegas, NV 89110	75,000.00	50,000.00	40,000.00	10,000.00
10725-01914	Gilbert Manuel Living Trust Dtd 1/3/92	C/O Gilbert Manuel Tee 4617 Constitution Ave Ne Albuquerque, NM 87110	486,748.60	50,000.00	40,000.00	10,000.00
10725-01541	Graham Family Trust Dtd 10/26/78	Robin B & Celia Allen Graham Tees 1460 Twinridge Rd Santa Barbara, CA 93111-1223	503,808.00	25,000.00	20,000.00	5,000.00
10725-02049	Hart, Kay J	455 Magnolia Ave Fairhope, AL 36532	606,211.16	100,000.00	80,000.00	20,000.00
10725-01915	Hausler Jr Living Trusr Dtd 1/3/92, Edwin L	C/O Edwin L Hausler Tee 4617 Constitution Ave Ne Albuquerque, NM 87110	486,748.60	50,000.00	40,000.00	10,000.00
10725-02292	Helms Homes LLC	Terry Helms 809 Upland Blvd Las Vegas, NV 89107-3719	12,697,934.44	550,000.00	440,000.00	110,000.00
10725-02059	Jack R Clark & Linda C Reid Jt Ten	9900 Wilbur May Pkwy #4701 Reno, NV 89521-3089	1,782,032.06	50,000.00	40,000.00	10,000.00
10725-01212	Jay E Henman Retirement Plan	C/O Jay E Henman Trustee 1023 Ridgeview Ct Carson City, NV 89705-8054	747,243.00	50,000.00	40,000.00	10,000.00
10725-01242	Johnson Family Trust Dtd 2/17/98	20802 N. Grayhawk Drive, #1035 Scottsdale, AZ 85255	Unknown	Unknown	Unknown	Unknown
10725-01477	Karen L Pidgeon 2006 Living Trust Dated 2/27/06	C/O Karen L Pidgeon Tee Po Box 41619 Sacramento, CA 95841-1619	538,643.00	100,000.00	80,000.00	20,000.00

EXHIBIT A